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COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 27, 2001

APPLICATION OF

ENERGYWINDOW, INC.

CASE NO. PUE010481

For a permanent license to  
conduct business as an  
electric and natural  
gas aggregator

ORDER FOR NOTICE AND COMMENT

On September 21, 2001, EnergyWindow, Inc., ("EnergyWindow" or "the Company"), completed an application with the State Corporation Commission ("Commission") to convert and expand its pilot license, License No. PA-2,<sup>1</sup> to a permanent license to provide competitive electric aggregation services to all classes of retail customers throughout the Commonwealth of Virginia as the Commonwealth opens up to retail access and customer choice. In addition, EnergyWindow requests a license to conduct business as a natural gas aggregator, also throughout the Commonwealth of Virginia. The Company attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B.

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<sup>1</sup> This pilot license permits the Company to operate as an aggregator in the electric retail access pilot programs of Virginia Electric and Power Company ("Virginia Power"), Appalachian Power Company d/b/a American Electric Power-Virginia ("AEP-VA"), and Rappahannock Electric Cooperative ("REC").

On August 2, 2000, EnergyWindow filed an application for a license to conduct business as an aggregator for competitive electric service in retail access pilot programs. This application sought authority to serve eligible customers in all customer classes in the electric retail access pilot programs of Virginia Power, AEP-VA, and REC.

After providing notice and opportunity for hearing, and receiving no comments from the public, and after considering its Staff's Report and the Company's response thereto, the Commission issued an Order on September 18, 2000, in Case No. PUE000410, that, among other things, granted the Company License No. PA-2.

On June 19, 2001, the Commission entered its Final Order in Case No. PUE010013, adopting its Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules"), 20 VAC 5-312-10, et seq. Page 6 of this Order provided that each competitive service provider who wished to convert its pilot license to a permanent license to participate in retail access must submit a request to do so in writing to the Commission on or before August 31, 2001. We directed that: (i) each such request must include an attestation that the information provided and updated in its application for a pilot license is true and correct, (ii) the Company must attest that it will abide by all applicable regulations of the Commission, as

required by 20 VAC 5-312-40 B, and (iii) the Company must include any changes to information previously provided to the Commission, as required by 20 VAC 5-312-20 R.

NOW UPON CONSIDERATION of EnergyWindow's application to convert its present license to a permanent license, and its request to be licensed as an aggregator for natural gas service, the Commission is of the opinion and finds that EnergyWindow's application should be docketed; that the Commission Staff should conduct an investigation into the reasonableness of the request to become licensed as an aggregator for natural gas service and present its findings in a Staff Report; that this Order should be served upon appropriate persons; and that these persons should have an opportunity to comment on EnergyWindow's request to convert its pilot license to permanent as well as its request to be licensed as an aggregator for natural gas service.

Accordingly, IT IS ORDERED THAT:

(1) This application shall be docketed and assigned Case No. PUE010481.

(2) A copy of the application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, during the Commission's regular hours of operation,

between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.

(3) On or before October 5, 2001, EnergyWindow shall serve a copy of this Order upon each utility listed on Attachment A to this Order.

(4) On or before October 15, 2001, the Company shall file with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P. O. Box 2118, Richmond, Virginia 23218-2118 proof of the notice required in Ordering Paragraph (3) herein.

(5) Any interested person may request a copy of the application, accompanying materials, and this Order by directing a request in writing to the Company, c/o Rita L. Brickman, Esquire, Venable, Baetjer, Howard and Civiletti, LLP, 1201 New York Avenue, N.W., Suite 1000, Washington, D.C. 20005-3917. The Company shall, within three (3) days of receipt of the request, serve the requested documents upon the person making such request.

(6) An original and fifteen (15) copies of any comments on the application shall be filed on or before October 19, 2001, with the Clerk of the Commission at the address identified in Ordering Paragraph (4). Comments must refer to Case No. PUE010481. A copy of such comments must also be served on or before September 24, 2001, by first-class mail, or hand-

delivered, to the Company, c/o Rita L. Brickman, Esquire at the address identified in Ordering Paragraph (5).

(7) The Commission Staff shall analyze the reasonableness of EnergyWindow's application and shall present its findings in a Staff Report to be filed on or before October 22, 2001.

(8) On or before October 30, 2001, the Company shall file with the Clerk of the Commission an original and fifteen (15) copies and any response it may have to the Staff Report.

(9) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile as well as by first-class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-10, et seq.

(10) This matter shall be continued generally.

ATTACHMENT A

Allegheny Power  
Mr. James D. Latimer  
Vice-President, State Affairs  
10435 Downsville Pike  
Hagerstown, Maryland 21740-1766

American Electric Power  
Mr. R. Daniel Carson, President  
Virginia/Tennessee  
Three James Center, Suite 702  
1051 East Cary Street  
Richmond, Virginia 23219

Conectiv Power Delivery  
Mr. Mack Wathen  
Director, Planning, Finance and Regulation  
New Castle Regional Office  
401 Eagle One Road  
P.O. Box 9239  
Newark, Delaware 19714-9239

Dominion Virginia Power  
Mr. Robert E. Rigsby  
President & COO  
Box 26666  
Richmond, Virginia 23261

Kentucky Utilities  
Mr. Ronald L. Willhite  
Director of Rates and Regulations  
P.O. Box 32030  
Louisville, Kentucky 40232

A&N Electric Cooperative  
Mr. Vernon N. Brinkley  
President  
P.O. Box 1128  
Parksley, Virginia 23421-1128

B-A-R-C Electric Cooperative  
Mr. Richard Weaver  
General Manager  
P.O. Box 264  
Millboro, Virginia 24460-0264

Central Virginia Electric Cooperative  
Mr. Howard L. Scarboro  
General Manager  
P.O. Box 247  
Lovingston, Virginia 22949

Community Electric Cooperative  
Mr. James M. Reynolds, P.E.  
General Manager  
P.O. Box 267  
Windsor, Virginia 23487-0267

Craig-Botetourt Electric Cooperative  
Mr. Gerald H. Groseclose  
General Manager  
P.O. Box 265  
New Castle, Virginia 24127-0265

Mecklenburg Electric Cooperative  
Mr. John Bowman  
Executive Vice President & General Manager  
Caller 2451  
Chase City, Virginia 23924-2451

Northern Neck Electric Cooperative  
Mr. Charles R. Rice, Jr.  
President and CEO  
P.O. Box 288  
Warsaw, Virginia 22572-0288

Northern Virginia Electric Cooperative  
Mr. Stanley C. Feuerberg  
President and CEO  
P.O. Box 2710  
Manassas, Virginia 20108-0875

Powell Valley Electric Cooperative  
Mr. Randell W. Meyers  
General Manager & CEO  
325 Straight Creek Road  
P.O. Box 1528  
New Tazewell, Tennessee 37879-1528

Prince George Electric Cooperative  
Mr. Dale Bradshaw, CEO  
P.O. Box 168  
Waverly, Virginia 23890-0168

Rappahannock Electric Cooperative  
Mr. Cecil E. Viverette, Jr.  
President  
P.O. Box 7388  
Fredericksburg, Virginia 22404-7388

Shenandoah Valley Electric Cooperative  
Mr. C. Douglas Wine  
President & CEO  
P.O. Box 236  
Mt. Crawford, Virginia 22841-0236

Southside Electric Cooperative  
Mr. Larry Longshore  
President and CEO  
P.O. Box 7  
Crewe, Virginia 23930-0007

Washington Gas Light Company  
Donald R. Hayes, Esquire  
1100 H Street, N.W.  
Washington, D.C. 20080

Columbia Gas of Virginia, Inc.  
Mr. James S. Copenhaver, Esquire  
9001 Arboretum Parkway  
P.O. Box 35674  
Richmond, Virginia 23235-0674

Commonwealth Public Service Corp.  
Mr. James Shockley, Manager  
P.O. Box 589  
Bluefield, West Virginia 24701

Roanoke Gas Company  
Mr. John Williamson, President  
P.O. Box 13007  
Roanoke, Virginia 24011



Southwestern Virginia Gas Company  
Mr. Allan McClain, President  
208 Lester Street  
Martinsville, Virginia 24112

United Cities Gas Company  
c/o Atmos Energy Corporation  
Mr. Thomas R. Blose, Jr., President  
810 Crescent Centre Drive, Suite 600  
Franklin, Tennessee 37067-6226

Virginia Gas Distribution Company  
Mr. Michael L. Edwards, President  
120 South Court Street  
Abingdon, Virginia 24210

Virginia Natural Gas, Inc.  
Mr. Henry P. Linginfelter  
President and Chief Executive Officer  
5100 East Virginia Beach Blvd.  
Norfolk, Virginia 23502-3488